

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brendan Kiley Gelner,

Plaintiff,

v.

Case No. 17-cv-4202 (JNE/KMM)
ORDER

Nancy A. Berryhill, Acting Commissioner
of Social Security,

Defendant.

This case is before the Court on a Report and Recommendation [Docket No. 17] issued by the Honorable Katherine Menendez, United States Magistrate Judge, on July 24, 2018. The Magistrate Judge recommended that Plaintiff's Motion for Summary Judgment be granted, that Defendant's Motion for Summary Judgment be denied, and that the matter be remanded to the Appeals Council for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). No objection to the Report and Recommendation has been received. The Court accepts the recommended disposition. *See* 28 U.S.C. § 636(b)(1). Therefore, IT IS ORDERED THAT:

1. Plaintiff's Motion for Summary Judgment [Docket No. 12] is GRANTED.
2. Defendant's Motion for Summary Judgment [Docket No. 15] is DENIED.
3. The matter is remanded to the Appeals Council for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 16, 2018

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge